

119TH CONGRESS
2D SESSION

S. _____

To prevent certain executive actions and repeal certain executive documents,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MERKLEY introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To prevent certain executive actions and repeal certain
executive documents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restoring Renewable
5 Energy Parity Act”.

6 **SEC. 2. PREVENTION OF EXECUTIVE ACTIONS AND REPEAL**
7 **OF EXECUTIVE DOCUMENTS.**

8 (a) PREVENTION AND REPEAL.—

9 (1) IN GENERAL.—Effective beginning on the
10 date of enactment of this Act—

1 (A) the Secretary of Commerce shall dis-
2 continue the investigation into imports of wind
3 turbines and their parts and components initi-
4 ated under section 232 of the Trade Expansion
5 Act of 1962 (19 U.S.C. 1862), as described in
6 the notice of the Bureau of Industry and Secu-
7 rity entitled “Notice of Request for Public Com-
8 ments on Section 232 National Security Inves-
9 tigation of Imports of Wind Turbines and Their
10 Parts and Components” (90 Fed. Reg 41380
11 (August 25, 2025));

12 (B) notwithstanding any other provision of
13 law, the Secretary of Health and Human Serv-
14 ices shall not take any action that hinders any
15 wind, solar, or geothermal development; and

16 (C) the Executive documents described in
17 paragraph (2) (referred to in this subsection as
18 the “Executive documents”) shall have no force
19 or effect and no Federal funds may be used to
20 implement, administer, enforce, or carry out the
21 Executive documents.

22 (2) EXECUTIVE DOCUMENTS DESCRIBED.—The
23 Executive documents referred to in paragraph (1)(C)
24 are the following:

1 (A) Executive Order 14315 (90 Fed. Reg.
2 30821; relating to ending market distorting
3 subsidies for unreliable, foreign-controlled en-
4 ergy sources).

5 (B) The Presidential memorandum entitled
6 “Temporary Withdrawal of All Areas on the
7 Outer Continental Shelf from Offshore Wind
8 Leasing and Review of the Federal Govern-
9 ment’s Leasing and Permitting Practices for
10 Wind Projects” issued on January 20, 2025
11 (90 Fed. Reg. 8363).

12 (C) Secretarial Order 3417, issued by the
13 Secretary of the Interior on February 3, 2025
14 (relating to addressing the national energy
15 emergency).

16 (D) Secretarial Order 3418, issued by the
17 Secretary of the Interior on February 3, 2025
18 (relating to unleashing American energy).

19 (E) Secretarial Order 3437, issued by the
20 Secretary of the Interior on July 29, 2025 (re-
21 lating to ending preferential treatment for unre-
22 liable, foreign-controlled energy sources in De-
23 partment decision making).

24 (F) Secretarial Order 3438, issued by the
25 Secretary of the Interior on August 1, 2025

1 (relating to managing Federal energy resources
2 and protecting the environment).

3 (G) The memorandum of the Secretary of
4 the Interior issued on July 15, 2025, entitled
5 “Departmental Review Procedures for Deci-
6 sions, Actions, Consultations, and Other Under-
7 takings Related to Wind and Solar Energy Fa-
8 cilities”.

9 (H) The memorandum of the Secretary of
10 Agriculture issued on August 21, 2025, num-
11 bered 1078–016 and entitled “Efficiency
12 Screening Criteria for Proposals Concerning
13 Power Generation on National Forest System
14 Lands”.

15 (I) Internal Revenue Service Notice 2025–
16 42 (relating to beginning of construction re-
17 quirements for purposes of the termination of
18 clean electricity production credits and clean
19 electricity investment credits for applicable wind
20 and solar facilities).

21 (J) The guidance of the Assistant Sec-
22 retary of the Army for Civil Works, described in
23 the news release published on the website of the
24 Corps of Engineers on September 22, 2025, en-
25 titled “Army Corps of Engineers begins imple-

1 menting policy to increase America’s energy
2 generation efficiency”.

3 (3) SUBSTANTIALLY SIMILAR DOCUMENTS.—

4 The President or the head of the applicable Federal
5 department or agency may not reissue an Executive
6 document in substantially the same form, and a new
7 order, memorandum, notice, or guidance document
8 that is substantially the same as an Executive docu-
9 ment may not be issued, unless the order, memo-
10 randum, notice, or guidance document is specifically
11 authorized by an Act of Congress enacted after the
12 date of enactment of this Act.

13 (4) REQUIRED ACTION BY SECRETARY OF DE-

14 FENSE.—Not later than 30 days after the date of
15 enactment of this Act, the Secretary of Defense shall
16 approve and sign any mitigation agreement relating
17 to a wind energy facility, solar energy facility, trans-
18 mission line, or distribution line that was initiated
19 before January 1, 2026.

20 (b) IPAC PORTAL.—Notwithstanding any other pro-

21 vision of law, the Director of the United States Fish and
22 Wildlife Service shall not prohibit any person requesting
23 a permit for a wind, solar, geothermal, or storage project
24 from using the Information for Planning and Consultation
25 Portal (commonly known as the “IPaC Portal”) of the

1 United States Fish and Wildlife Service to process the
2 project.

3 (c) FINANCIAL ASSISTANCE.—

4 (1) DEFINITION OF CONTINUATION APPLICA-
5 TION.—In this subsection, the term “continuation
6 application” means an application to secure con-
7 tinuing distribution of a Federal financial assistance
8 award that was designated to be distributed over
9 multiple fiscal years.

10 (2) CONTINUATION APPLICATION.—

11 (A) IN GENERAL.—Not later than 60 days
12 after the date on which a continuation applica-
13 tion is submitted by an applicant, the head of
14 the applicable Federal department or agency
15 shall—

16 (i) grant or deny that continuation
17 application; and

18 (ii) notify the applicant of the deter-
19 mination made under clause (i).

20 (B) CONTINUATION APPLICATION.—A con-
21 tinuation application submitted under subpara-
22 graph (A) shall be in such form and contain
23 such information as the head of the applicable
24 Federal department or agency may require.

1 (C) TERMS AND CONDITIONS.—A continu-
2 ation application granted under subparagraph
3 (A) shall contain the same terms and conditions
4 as the original application, as applicable.

5 (D) DEADLINE.—A continuation applica-
6 tion that is not responded to by the deadline re-
7 quired under subparagraph (A) shall be consid-
8 ered granted.

9 (d) RESCISSION LIMITATION.—No amounts may be
10 rescinded from amounts provided under any appropriation
11 Act (as defined in section 3 of the Congressional Budget
12 and Impoundment Control Act of 1974 (2 U.S.C. 622))
13 for fiscal years 2026 or 2027, unless the rescission is made
14 through an appropriation Act.